

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
ELKINS

JAMES R. STUTLER, JR.,

Plaintiff,

v.

Civil Action No. 2:10-CV-120
(BAILEY)

TEREX CORPORATION,

Defendant/Third-Party Plaintiff,

v.

DEUTZ AG,

Third-Party Defendant.


ORDER DISMISSING CASE

Inasmuch as the parties have informed this Court that they have reached a settlement agreement on all issues in the above-styled action, it is **ORDERED** that this civil action be, and the same is hereby, **DISMISSED** with prejudice and retired from the docket of this Court, subject to reopening on motion of any party, and for good cause shown, within ninety (90) days.

The parties need not submit any additional proposed dismissal or other final order unless it is required by law or is necessary under the terms of any agreement resolving this civil action.

The Clerk is directed to transmit copies of this Order to all counsel of record herein.

DATED: December 12, 2012.


JOHN PRESTON BAILEY
UNITED STATES DISTRICT JUDGE